

# **EXHIBIT A**

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11  
12 **UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF WASHINGTON**  
13 **AT YAKIMA**

14 STATE OF WASHINGTON, et al.,

15 Plaintiffs,

16 v.

17 DONALD J. TRUMP, in his  
official capacity as President of the  
United States of America; UNITED  
STATES OF AMERICA; LOUIS  
18 DEJOY, in his official capacity as  
Postmaster General; UNITED  
19 STATES POSTAL SERVICE,

20 Defendants.  
21  
22

NO. 20-cv-03127

PLAINTIFF STATES' FIRST  
INTERROGATORIES AND  
REQUESTS FOR PRODUCTION  
OF DOCUMENTS TO  
DEFENDANTS LOUIS DEJOY  
AND UNITED STATES POSTAL  
SERVICE

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure, the Plaintiff States, through undersigned counsel, request that Defendants United States Postal Service (USPS) and Louis DeJoy (hereinafter Defendants) respond to the following Requests for Production within the time established by applicable Court order. Please produce for inspection and copying the documents specified in the Requests below to the offices of the Washington Attorney General, Complex Litigation Division, 800 Fifth Avenue, Ste. 2000, Seattle, WA 98104, in accordance with the instructions set forth below.

### INSTRUCTIONS

1. These requests seek all responsive documents in Defendants' possession, custody, or control, or in the possession, custody, or control of Defendants' agents, employees, representatives, accountants, attorneys (unless privileged), and all other persons acting for Defendants or on Defendants' behalf.

2. Produce all documents in the form, order, and manner in which they are regularly maintained, or, in the alternative, identify, by number, the request or requests pursuant to which Defendants are producing each document. In the absence of an agreement to the contrary, Plaintiff requests that all electronically stored information ("ESI") be produced in a reasonably usable electronic format pursuant to Fed. R. Civ. P. 34(a)(1)(A).

3. These requests are continuing in character so as to require Defendants to promptly produce supplemental documents if Defendants identify

1 additional or different documents that are responsive at any time before trial in  
2 accordance with Fed. R. Civ. P. 26(e).

3 4. A contention that some portion of the documents responsive to these  
4 requests may already be in the possession, custody, or control of Plaintiffs does  
5 not excuse compliance with these requests.

6 5. Defendants must produce the original or a copy of the original of  
7 each requested document, as well as all non-identical copies, such as documents  
8 and drafts with notations, markings, and the like.

9 6. If a document is undated but it appears otherwise responsive to a  
10 request, it should be produced.

11 7. If a request seeks a document that is no longer in existence, please  
12 identify each such document, and:

- 13 a. Identify the information contained in the document;  
14 b. State the circumstances under which the document ceased to  
15 exist; and  
16 c. Identify all persons who have knowledge or had knowledge  
17 of the document and its contents.

18 8. If, in responding to these requests, Defendants encounter what they  
19 deem to be an ambiguity when construing any request, instruction, or definition,  
20 please set forth the matter deemed ambiguous and the construction used in  
21 responding.  
22

f. The nature of the claim of privilege.

## DEFINITIONS

1. The term “White House” refers to all of the current and former employees, agents, officers, directors, representatives, consultants, advisors, aides, counsel, and staff of the current President of the United States and the

1 current Vice-President of the United States, including any person who has served  
2 in any such capacity at any time since November 8, 2016.

3 2. The term “U.S. Department of the Treasury” refers to all of the  
4 current and former employees, agents, officers, directors, representatives,  
5 consultants, advisors, aides, counsel, and staff of the Treasury Department and  
6 the current Treasury Secretary, including any person who has served in any such  
7 capacity at any time since February 13, 2017.

8 3. The term “USPS” refers to Defendant United States Postal Service,  
9 including without limitation, any and all of its employees, agents, contractors,  
10 representatives, and attorneys; and any person acting on its behalf.

11 4. The term “Election Day” means November 3, 2020, the date of the  
12 2020 United States presidential election.

### 13 **INTERROGATORIES**

14 **INTERROGATORY NO. 1:** Provide a list or chart of all mail sorting or  
15 processing machines that were identified for decommissioning and/or removal at  
16 any time on or after May 15, 2020; the location of each machine; each machine’s  
17 current status, including the date it was decommissioned or removed, if  
18 applicable; and the plans for each machine prior to Election Day, i.e., whether  
19 the machine will be decommissioned and/or removed prior to Election Day or  
20 whether the machine will be reinstalled if it has already been decommissioned  
21 and/or removed.  
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1     **ANSWER:**

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3     **INTERROGATORY NO. 2:** State whether any requests to reinstall removed or  
4     decommissioned machines identified in the response to Interrogatory No. 1 have  
5     been denied, and if so, state the location of those machines and the dates of the  
6     request and the denial.

7     **ANSWER:**

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9     **INTERROGATORY NO. 3:** Provide a list or chart of all processing and  
10    distribution centers and other USPS facilities that were identified for full or  
11    partial capacity reduction (e.g., ceasing functions such as processing outgoing  
12    mail) at any time after May 15, 2020; each facility's current status; and the plans  
13    for each facility prior to Election Day, i.e., whether the facility will remain open  
14    and whether any operations will be discontinued.

15    **ANSWER:**

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17    **INTERROGATORY NO. 4:** State whether blue collection mailboxes that were  
18    removed after June 16, 2020 will be reinstalled, and whether any further removals  
19    of mailboxes will occur prior to Election Day; if so, identify the location of each  
20    mailbox to be reinstalled or removed.

21    **ANSWER:**

1 **INTERROGATORY NO. 5:** State whether USPS will treat ballots in particular  
2 and other election mail in general as First Class mail, regardless of the paid class  
3 of postage, for the November 2020 election; if not, describe any relevant policies,  
4 guidance, or practices regarding the treatment of ballots in particular and other  
5 election mail in general applicable to the November 2020 election.

6 **ANSWER:**  
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8 **INTERROGATORY NO. 6:** The USPS Areas Receiving Mail Pacific Area  
9 Virtual Meeting Presentation, dated August 13, 2020 and attached as Exhibit 1 to  
10 these discovery requests, states on Page 8, under the heading “Election Mail  
11 Delivery Standards,” that “Election Mail sent as Marketing Mail is not upgraded  
12 to First Class service.” State whether this statement is an accurate reflection of  
13 USPS policy with regard to the November 3, 2020 election.

14 **ANSWER:**  
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16 **INTERROGATORY NO. 7:** State whether USPS is currently implementing or  
17 enforcing any restrictions on transportation, including but not limited to late trips,  
18 extra trips and/or final dispatches; if so, describe any relevant policies, guidance,  
19 or practices concerning the timing of mail processing or delivery.

20 **ANSWER:**  
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1 **INTERROGATORY NO. 8:** State whether USPS has made or will make prior  
2 to Election Day any changes of any kind to its overtime policies and practices as  
3 they existed on June 15, 2020; if so, describe any relevant policies, guidance, or  
4 practices concerning overtime.

5 **ANSWER:**

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7 **INTERROGATORY NO. 9:** State whether USPS has made or will make prior  
8 to Election Day any changes of any kind to Post Office retail operating hours as  
9 they existed on June 15, 2020; if so, describe any relevant policies, guidance, or  
10 practices concerning operating hours.

11 **ANSWER:**

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13 **INTERROGATORY NO. 10:** At an August 21, 2020, hearing before the Senate  
14 Homeland Security and Governmental Affairs Committee, Senator Kyrsten  
15 Sinema asked: “Will local postal managers be authorized to make decisions and  
16 have postal employees make extra trips or late trips, [or] work overtime in order  
17 to deliver ballots to ensure that plants and post offices don’t fall behind in  
18 processing election mail?” In response, Postmaster General DeJoy said: “Yes,  
19 ma’am. Effective October 1st, we will have redundant resources and  
20 liberalization and aggressive efforts to make sure everything is moving and  
21 flowing timely.” Describe any planned or implemented policies, guidance, or  
22

1 practices Mr. DeJoy referred to in his testimony or that otherwise respond to  
2 Senator Sinema's question.

3 **ANSWER:**

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5 **REQUESTS FOR PRODUCTION**

6 **REQUEST FOR PRODUCTION NO. 1:** Produce any policies, guidance, or  
7 written practices identified in the answers to Interrogatories Nos. 5, 7, 8, 9, and  
8 10.

9 **RESPONSE:**

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11 **REQUEST FOR PRODUCTION NO. 2:** Produce all documents provided to  
12 the U.S. Congress, including any congressional committee or member of any  
13 such committee, related to any of the topics covered in the foregoing  
14 Interrogatories.

15 **RESPONSE:**  
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1 DATED this 21st day of August, 2020.

2 FOR THE PLAINTIFF STATES:

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4 Attorney General

5 */s/ Noah Guzzo Purcell*

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